

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF

TUESDAY, MARCH 8, 1988

AT 9:00 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 10:25 a.m. The meeting was recessed by Mayor O'Connor at 11:20 a.m. into Closed Session in the twelfth floor conference room to discuss pending litigation.

The meeting was reconvened by Mayor O'Connor at 2:09 p.m. with Council Member McCarty not present. The meeting was recessed by Mayor O'Connor at 2:12 p.m. to meet as the Special Joint Meeting with the Redevelopment Agency and to meet as the Redevelopment Agency. The meeting was reconvened by Mayor O'Connor at 3:15 p.m. Mayor O'Connor adjourned the meeting at 3:16 p.m. to meet in Closed Session on pending litigation and Meet and Confer matters.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
 - (1) Council Member Wolfsheimer-present
 - (2) Council Member Roberts-present
 - (3) Council Member McColl-present
 - (4) Council Member Pratt-present
 - (5) Council Member Struiksmma-present
 - (6) Council Member Henderson-present
 - (7) Council Member McCarty-present
 - (8) Council Member Filner-present
- Clerk-Abdelnour, Fishkin (rb,eb)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member McColl-present
- (4) Council Member Pratt-present
- (5) Council Member Struiksmma-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

ITEM-150: (R-88-1689) ADOPTED AS RESOLUTION R-270495

Waiving Council Policy 700-43 in respect to payment of fees to the Convention and Performing Arts Center by the NAMES Project, for purposes of displaying the AIDS Quilt at the Convention and Performing Arts Center on April 13-14, 1988; authorizing the expenditure of an amount not to exceed \$4,340 from General Fund 100, Unallocated Reserve 605, and payment thereof to CPAC to defray expenses for the above use of facilities.

(See Committee Consultant Analysis PFR-88-6.)

COMMITTEE ACTION: Initiated by PFR on 2/24/88. Recommendation to waive Council Policy 700-43 in respect to payment of fees at CPAC for purposes of display of the AIDS Quilt and identified the Unallocated Reserve (\$4,340) as the funding source to reimburse the CPAC operation. Districts 5, 6 and 8 voted yea. District 7 voted nay. District 1 not present.

Aud. Cert. 8800784.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A199-312.)

MOTION BY HENDERSON TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-nay, Filner-yea, Mayor O'Connor-yea.

ITEM-204: (R-88-1518) ADOPTED AS RESOLUTION R-270496

Awarding contracts for the purchase of miscellaneous vehicles, for a total cost of \$88,711.88, including tax, as follows: (BID-9392)

1. Bob Stall Chevrolet for Item 4 - one Chevrolet Camaro Sport Coupe;
2. Pacific Beach Ford for Item 5 - one Ford Mustang GT;
3. El Cajon Ford for Item 7 - two Ford Mustangs LX, 2-door; Item 9 - one Ford Bronco II; Item 10 - two Ford Aerostar Vans.

Aud. Cert. 8800774.

FILE LOCATION: MEET CONT FY88-3

COUNCIL ACTION: (Tape location: A313-315.)

MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-205: (R-88-1430) ADOPTED AS RESOLUTION R-270497

(Continued from the meetings of January 25, 1988, Item 202, and February 22, 1988, Item 206; last continued at Ron Saathoff's request, to await the results of the Battalion Chief exam.)

Authorizing the Personnel Director to execute a contract with Dennis Joiner and Associates to validate, develop, and administer promotional examinations for the Assistant Fire Marshal, Fire Prevention Supervisor, and Fire Captain; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$63,000 from the Unallocated Reserve 605 to the Allocated Reserve 901, for the above purpose; authorizing the above expenditure for the purposes set forth in the contract, upon the receipt and approval of sufficient invoices.

Aud. Cert. 8800634.

FILE LOCATION: MEET CONT FY88-1

COUNCIL ACTION: (Tape location: A316-543.)

MOTION BY McCARTY TO ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmay-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-206: (R-88-1043) RETURNED TO CITY MANAGER

(Continued from the meetings of January 25, 1988, Item 106, February 8, 1988, Item 202, and February 16, 1988, Item S401; last continued at Council Member Henderson's request, to allow the City Manager to review alternatives to the traffic signal that would provide safe passage of pedestrians and vehicles through the intersection.)

Inviting bids for the Construction of a Traffic Signal and Street Lighting System at Bond Street and Grand Avenue on Work Order No. 118971; authorizing the execution of a contract with the lowest responsible and reliable bidder; authorizing the expenditure of funds not to exceed \$90,200 from Capital Outlay Fund 30245, CIP-61-002, Annual Allocation - New Traffic Signals, for providing funds for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to retain excess budgeted funds, if any, in CIP-61-002, Annual Allocation - New Traffic Signals. (BID-9470) (Mission Bay Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: During the City Council meeting of June 23, 1986, Council voted not to approve funding of a traffic signal for the intersection of 7th Avenue and

Robinson Avenue (Item 105). Staff has reviewed other traffic signal candidate intersections to utilize 7th Avenue and Robinson Avenue Funds. The intersection of Bond Street and Grand Avenue appears with the highest ranked intersections for traffic signal installations and based upon safety performance is recommended for installation of a traffic signal. The installation will provide for the safe passage of emergency vehicles, pedestrians and vehicles through this intersection. Aud. Cert. 8800434.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A544-B125.)

MOTION BY HENDERSON TO DIRECT STAFF TO PREPARE A DESIGN WITH A MEDIAN STRIP AND A FENCE WITH LANDSCAPING TO CLOSE OFF ACCESS TO THE SOUTHERN LANE OF GRAND AVENUE AT THIS SITE, AND COME BACK TO COUNCIL FOR A REVIEW OF THE PROPOSAL FOR THE TRAFFIC SITE INCLUDING A LANDSCAPING PROGRAM. Second by Roberts. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-207: (R-88-1419) ADOPTED AS RESOLUTION R-270498

(Continued from the meetings of January 25, 1988, Item 120, February 8, 1988, Item 206, and February 22, 1988, Item 207; last continued at City Manager's request, for consideration after the Rules Committee review.)

Authorizing the execution of a letter of agreement with Donald N. Sharp Memorial Hospital for the implementation of a Health Management Program for firefighters; authorizing the expenditure of an amount not to exceed \$35,000 from Dept. 120, Account No. 4151, for the purpose of providing funds for the execution of the above letter of agreement and further authorizing the City Auditor and Comptroller upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

CITY MANAGER SUPPORTING INFORMATION: The proposed agreement originates from the Memorandum of Understanding between the International Association of Fire Fighters, Local 145, and the City, previously approved by Council. The agreement stipulates that both parties agree to support a Health Management Program through Sharp's Hospital and authorizes the expenditures of funds previously appropriated. This year's program will provide an educational program and informational material designed to enhance the fire fighter's awareness of what constitutes stress, how to recognize it, and how to cope with the effects of it,

especially in the wake of human suffering. The program will also provide for confidential counseling for fire fighters experiencing lingering effects from exposure to one or more critical incidents. Also included in this year's program is a total non-fasting cholesterol test with follow up testing counseling for fire fighters whose total cholesterol level places them in a high risk category. Finally, this year's program will provide education for female fire fighters concerning potential fetal health risks as a result of workplace exposures from fire fighting.

Aud. Cert. 8800654.

FILE LOCATION: MEET CONT FY88-1

COUNCIL ACTION: (Tape location: B216-B218.)

MOTION BY McCOLL TO ADOPT. Second by Struiksma. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-310: CONTINUED TO APRIL 19, 1988 AT 10:00 A.M.

(Continued from the meetings of November 30, 1987, Item 33, and January 26, 1988, Item 310; last continued at Council Member Struiksma's request, to act on other matters involved between now and the time the fees are paid.) Matter of the request of Friends of Chabad Lubavitch, by Rabbi Yonah Fradkin, for a hearing of an appeal from the decision of the Planning Commission in denying Planned Infill Residential Development Permit and Tentative Map PIRD and TM-87-0382 (Stadium Village), proposing a 33-lot subdivision and construction of 28-single-family detached dwelling units. The subject property (approximately 26.78-acres) is located west and east of Mission Village Drive between Friars Road and Ronda Avenue, in Zones R1-5000 and R1-40000 HR, in the Serra Mesa Community Plan area. The subject property is further described as a portion of Lot 41 of Rancho Mission of San Diego. (PIRD & TM-87-0382. District-5.)

A motion granting or denying the request for a hearing of the appeal.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A030-034.)

MOTION BY STRUIKSMA TO CONTINUE FOR SIX WEEKS FOR FURTHER REVIEW. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor

O'Connor-yea.

ITEM-330: (R-88-1550) ADOPTED AS RESOLUTION R-270499

Confirming the cost of abatement of the property at 1307, 1309 Fern Street and 3034 "A" Street at \$2,273.41; authorizing the levy of a special assessment in the amount of \$2,273.41 against the above-described property; authorizing the Fire Department to collect this special assessment and provide proper documentation to the County Auditor before July 1, 1988, to incorporate this assessment on the municipal tax bill for this property to be collected in the same manner as ordinary municipal taxes, pursuant to Government Code Section 38773 and 38773.5.
(District-8.)

CITY MANAGER SUPPORTING INFORMATION: On September 14, 1987, the City Council authorized the City Manager to administratively abate the public nuisance by removal of rubbish and debris located at 1307, 1309 Fern Street and 3034 "A" Street (Resolution R-269272). The property has been cleared of the combustible rubbish and debris, and the contractor has been paid as previously authorized. A record of contractual and related administrative costs is hereby transmitted for confirmation by council and for authorization to levy these costs as a special assessment:

Contractual	\$1,070.00
Administrative	1,203.41
Totals assessed	\$2,273.41

Upon authorization by City Council, attempts will be made to collect the amount owed through a billing process. If that is not successful, the County Auditor will be notified to place an assessment on the tax roll and these costs will be collected in the same manner as municipal property taxes and then reimbursed to the City.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A039-188.)

Hearing began at 10:30 a.m. and halted at 10:35 a.m.

Testimony by Edward S. Kinney.

MOTION BY FILNER TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-331: (R-88-) RETURNED TO THE IDO ADMINISTRATOR

(Continued from the meeting of February 4, 1988, Item 606, at Charles Gill's request, to allow the Community Planning Group to review.)

Matter of a variance request from the Interim Development Ordinance (IDO) to construct a 24 unit project. The subject property is located at 3987 - 4007 Richmond Avenue and is described as Lots 15-20, Block 184, University Heights. The R-600 zoned site is within the Uptown Community Plan area.

(Case-87-2020) (Non-accelerated) (District-2.)

Adoption of a Resolution granting or denying the variance request for Case-87-2020 with appropriate findings to support Council action.

FILE LOCATION: ZONE IDO Case-87-2020

COUNCIL ACTION: (Tape location: C018-035.)

MOTION BY STRUIKSMA TO RETURN THE MATTER TO THE IDO ADMINISTRATOR AS THE APPLICANT WITHDREW THE REQUEST. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-S402: (R-88-1928) ADOPTED AS RESOLUTION R-270501

19880308

(Trailed from the meeting of February 29, 1988, Item 104, and continued from the meeting of March 1, 1988, Item 104; last continued at Council Member Henderson's request, for further discussion.)

Matter of the expenditure of funds for retaining outside counsel for the purpose of representing the City of San Diego in the federal lawsuit entitled, Chicano Federation of San Diego County, et al. v. City of San Diego, et al., Case-880103R(M).

Aud. Cert. 8800768.

NOTE: On 3/1/88 Council voted 7-1 (District 1 voted nay; District 7 not present) to authorize the City Attorney to execute an retainer agreement with the law firm of McDermott, Will and Emery. The portion of the item authorizing expenditure of funds was continued to 3/7/88.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C035-045.)

MOTION BY MCCOLL TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, McColl-yea,

Pratt-yea, Struiksmayea, Henderson-yea, McCarty-not present,
Filner-nay, Mayor O'Connor-yea.

NON-DOCKET ITEMS:

None.

PUBLIC COMMENT:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor O'Connor in honor of the
memory of Gemma Parks.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D342).

ITEM-CS-1: (R-88-1753) ADOPTED AS RESOLUTION R-270500

A resolution adopted by the City Council in Closed
Session on March 8, 1988:

Authorizing the City Manager to pay the sum of \$60,000
in the settlement of each and every claim against the
City of San Diego, its agents and employees, in Superior
Court Case No. 579861, Chu v. Subia, et al., resulting
from damage to real property; authorizing the City
Auditor and Comptroller to issue one check in the amount
of \$60,000 made payable to Cheng Chu, San K. Chu and
their attorney Robert P. Irwin in full settlement of the
lawsuit and of all claims.

Aud. Cert. 8800817

FILE LOCATION: MEET